

FILE NO.:

**DECLARATION
AND POWER OF ATTORNEY
Original Application**

As a below named inventor, I declare that the information given herein is true, that I believe that I am the original, first and sole inventor if only one name is listed at 1 below, or a joint inventor if plural inventors are named below, of the invention entitled: SYSTEM FOR DISTRIBUTING APPLICATION SOFTWARE

which is described and claimed in:

[X] the attached specification or [] the specification in application
Serial No. _____, filed _____
(for declaration not accompanying appl.)

that I do not know and do not believe that the same was ever known or used in the United States of America before my or our invention thereof or patented or described in any printed publication in any country before my or our invention thereof, or more than one year prior to this application, or in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application, that I acknowledge my duty to disclose information of which I am aware which is material to patentability in accordance with 37 CFR §1.56. I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I hereby claim the priority benefits under 35 U.S.C. 119 of any application(s) for patent or inventor's certificate listed below. All foreign applications for patent or inventor's certificate on this invention filed by me or my legal representatives or assigns prior to the application(s) of which priority is claimed are also identified below.

PRIOR APPLICATION(S), IF ANY, OF WHICH PRIORITY IS CLAIMED

<u>COUNTRY</u>	<u>APPLICATION NO.</u>	<u>DATE OF FILING</u>
JAPAN	PAT 2001-192358	June 26, 2001

**ALL FOREIGN APPLICATIONS, IF ANY, FILED PRIOR
TO THE APPLICATION(S) OF WHICH PRIORITY IS CLAIMED**

<u>COUNTRY</u>	<u>APPLICATION NO.</u>	<u>DATE OF FILING</u>
JAPAN	PAT 2001-192358	June 26, 2001

POWER OF ATTORNEY:

As a named inventor, I hereby appoint the following attorney(s) and/or agents(s) to prosecute this application and transact all business in the Patent and Trademark office connected therewith: Gordon D. Coplein #19,165, William F. Dudine, Jr. #20,569, Michael J. Sweedler #19,937, S. Peter Ludwig #25,351, Paul Fields #20,298, Harold E. Wurst #22,183, Joseph B. Lerch #26,936, Melvin C. Garner #26,272, Ethan Horwitz #27,646, Beverly B. Goodwin #28,417, Adda C. Gogoris #29,714, Martin E. Goldstein #20,869, Bert J. Lewen #19,407, Henry Sternberg #22,408, Robert A. Green #28,301, Peter C. Schechter #31,662, Robert Schaffer #31,194, Robert C. Sullivan, Jr. #30,499, Ira J. Levy #35,587, Joseph R. Robinson #33,448

all of the firm of DARBY & DARBY P.C., 805 Third Avenue, New York, NY 10022

SEND CORRESPONDENCE TO:

DIRECT TELEPHONE CALLS TO:

DARBY & DARBY P.C.
805 Third Avenue
New York, NY 10022

PAUL FIELDS
212-527-7700

FULL NAME AND RESIDENCE OF INVENTOR 1

LAST NAME: Nagaya	FIRST NAME: Kenichi	MIDDLE NAME:
CITY: SHIZUOKA	STATE OR FOREIGN COUNTRY: JAPAN	COUNTRY OF CITIZENSHIP: JAPANESE
POST OFFICE ADDRESS: 15-18, Sannohdai, Numazu	CITY: Shizuoka	STATE OR COUNTRY: JAPAN ZIP CODE: 410-0035

FULL NAME AND RESIDENCE OF INVENTOR 2

LAST NAME:	FIRST NAME:	MIDDLE NAME:
CITY:	STATE OR FOREIGN COUNTRY:	COUNTRY OF CITIZENSHIP:
POST OFFICE ADDRESS:	CITY:	STATE OR COUNTRY: ZIP CODE:

FULL NAME AND RESIDENCE OF INVENTOR 3

LAST NAME:	FIRST NAME:	MIDDLE NAME:
CITY:	STATE OR FOREIGN COUNTRY:	COUNTRY OF CITIZENSHIP:
POST OFFICE ADDRESS:	CITY:	STATE OR COUNTRY: ZIP CODE:

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 1: Kenichi Nagaya DATED: October 1, 2001
Kenichi Nagaya

SIGNATURE OF INVENTOR 2: _____ DATED: _____

SIGNATURE OF INVENTOR 3: _____ DATED: _____

(D&DForms/PTO-21)

REV. 12/87

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application or Patent of: Docket No.

Serial or Patent No: Filed: or Issued:

For: SYSTEM FOR DISTRIBUTING APPLICATION SOFTWARE

VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS
SMALL BUSINESS CONCERN

I hereby declare that I am

- ☒ the owner of the small business concern identified below:
☐ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: Netman Corporation

ADDRESS OF CONCERN: 2-2-4-4F, Hacchobori, Chuo-ku, TOKYO 104-0032 JAPAN

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12 and in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons.

Definitions: For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled SYSTEM FOR DISTRIBUTING APPLICATION SOFTWARE, by inventor(s) Kenichi Nagaya described in

- ☒ the specification filed herewith
☐ application Serial No. _____, filed _____
☐ Patent No. _____, issued _____.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no

rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

**NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entitled (37 C.F.R. 1.27)*

NAME: Netman Corporation

ADDRESS: 2-2-4-4F, Hacchobori, Chuo-ku, TOKYO 104-0032 JAPAN

☐ INDIVIDUAL ☒ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

NAME:

ADDRESS:

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. §1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statement and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Kenichi Nagaya

TITLE OF PERSON (IF OTHER THAN OWNER): President

ADDRESS OF PERSON SIGNING: 15-18, Sannohdai, Numazu, Shizuoka 410-0035, JAPAN

SIGNATURE: Kenichi Nagaya
Kenichi Nagaya

DATE: October 1, 2001